

01
02
03
04
05
06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) Case No. CR07-80-RSM
10 v.)
11 WALTER JOSEPH LEWIS,) SUMMARY REPORT OF U.S.
12 Defendant.) MAGISTRATE JUDGE AS TO
ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
13 _____)

14 An evidentiary hearing on a petition for violation of supervised release was held
15 before the undersigned Magistrate Judge on October 2, 2008. The United States was
16 represented by Assistant United States Attorney Carl H. Blackstone, and the defendant by
17 Peter J. Avenia. The proceedings were digitally recorded.

18 The defendant had been charged and convicted of Making False Statements, in
19 violation of 18 U.S.C. 1001. On or about July 13, 2007, defendant was sentenced by the
20 Honorable Ricardo S. Martinez to a term of four months in custody, to be followed by three
21 years of supervised release.

22 The conditions of supervised release included the requirements that the defendant
23 comply with all local, state, and federal laws, and with the standard conditions. Special
24 conditions imposed included, but were not limited to, substance abuse and mental health
25 program, financial disclosure, \$6,852.00 restitution, search, up to 90 days RRC and 90 days
26 HC/EM with sobrieter.

01 In a Petition for Warrant or Summons, dated September 22, 2008, U.S. Probation
02 Officer Jennifer J. Tien asserted the following violations by defendant of the conditions of his
03 supervised release:


- 04 (1) Failing to answer truthfully all inquires by the probation officer, in violation of
05 the standard number 3.
- 06 (2) Using cocaine on or before August 27, 2008, in violation of standard condition
07 number 7.
- 08 (3) Failing to provide a valid urine sample on September 2 and 3, 2008, in
09 violation of the special condition of drug aftercare.
- 10 (4) Using cocaine on or before September 11, 2008, in violation of standard
11 condition number 7.
- 12 (5) Failing to make regular restitution payments since June 2008, in violation of
13 special condition that the defendant make monthly payments of \$10.00.

14 On September 23, 2008, defendant made his initial appearance. The defendant was
15 advised of the allegations and advised of his rights. On October 2, 2008, defendant appeared
16 for an evidentiary hearing on the alleged violations. Defendant admitted to violations 1, 2, 3,
17 4 and 5.

18 I therefore recommend that the Court find the defendant to have violated the terms
19 and conditions of his supervised release as to violations numbers 1, 2, 3, 4 and 5, and that the
20 Court conduct a hearing limited to disposition. A disposition hearing on these violations has
21 been set before the Honorable Ricardo S. Martinez on October 24, 2008 at 2:30 p.m.

22 Pending a final determination by the Court, the defendant has been detained.

23 DATED this 2nd day of October, 2008.

24 
25 JAMES P. DONOHUE
26 United States Magistrate Judge

cc: District Judge: Honorable Ricardo S. Martinez
AUSA: Mr. Carl H. Blackstone
Defendant's attorney: Mr. Peter J. Avenia
Probation officer: Ms. Jennifer J. Tien